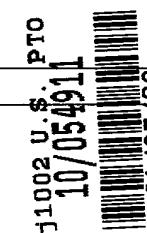


<b>UTILITY PATENT APPLICATION TRANSMITTAL</b> <b>(Small Entity)</b>		Docket No. 12591-US-CIP
<i>(Only for new nonprovisional applications under 37 CFR 1.53(b))</i>		Total Pages in this Submission
<b>TO THE ASSISTANT COMMISSIONER FOR PATENTS</b> <b>Box Patent Application</b> <b>Washington, D.C. 20231</b>		
<p>Transmitted herewith for filing under 35 U.S.C. 111(a) and 37 C.F.R. 1.53(b) is a new utility patent application for an invention entitled:</p> <p><b>METHOD OF POLARIZATION BIREFRINGENCE IN A WAVEGUIDE DEMULTIPLEXER USING A COMPENSATOR WITH A HIGH REFRACTIVE INDEX CAPPING LAYER</b></p>		
<p>and invented by:</p> <p>Siegfried Janz et al.</p>		
 <b>1002 U.S. PRO</b> <b>10/05491</b> <b>01/25/02</b>		
<p>If a CONTINUATION APPLICATION, check appropriate box and supply the requisite information:</p> <p><input type="checkbox"/> Continuation   <input type="checkbox"/> Divisional   <input checked="" type="checkbox"/> Continuation-in-part (CIP)   of prior application No.: <b>09/986,318</b></p> <p>Which is a:</p> <p><input type="checkbox"/> Continuation   <input type="checkbox"/> Divisional   <input type="checkbox"/> Continuation-in-part (CIP)   of prior application No.: _____</p> <p>Which is a:</p> <p><input type="checkbox"/> Continuation   <input type="checkbox"/> Divisional   <input type="checkbox"/> Continuation-in-part (CIP)   of prior application No.: _____</p> <p>Enclosed are:</p> <p style="text-align: center;"><b>Application Elements</b></p> <p class="list-item-l1">1. <input checked="" type="checkbox"/> Filing fee as calculated and transmitted as described below</p> <p class="list-item-l1">2. <input checked="" type="checkbox"/> Specification having <u>17</u> pages and including the following:</p> <ul style="list-style-type: none"> <li>a. <input checked="" type="checkbox"/> Descriptive Title of the Invention</li> <li>b. <input checked="" type="checkbox"/> Cross References to Related Applications (<i>if applicable</i>)</li> <li>c. <input type="checkbox"/> Statement Regarding Federally-sponsored Research/Development (<i>if applicable</i>)</li> <li>d. <input type="checkbox"/> Reference to Microfiche Appendix (<i>if applicable</i>)</li> <li>e. <input checked="" type="checkbox"/> Background of the Invention</li> <li>f. <input checked="" type="checkbox"/> Brief Summary of the Invention</li> <li>g. <input checked="" type="checkbox"/> Brief Description of the Drawings (<i>if drawings filed</i>)</li> <li>h. <input checked="" type="checkbox"/> Detailed Description</li> <li>i. <input checked="" type="checkbox"/> Claim(s) as Classified Below</li> <li>j. <input checked="" type="checkbox"/> Abstract of the Disclosure</li> </ul>		

# UTILITY PATENT APPLICATION TRANSMITTAL (Small Entity)

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Docket No.  
12591-US-CIP

Total Pages in this Submission

## Application Elements (Continued)

3.  Drawing(s) (*when necessary as prescribed by 35 USC 113*)  
a.  Formal      b.  Informal      Number of Sheets \_\_\_\_\_ 4
4.  Oath or Declaration
  - a.  Newly executed (*original or copy*)       Unexecuted
  - b.  Copy from a prior application (37 CFR 1.63(d)) (*for continuation/divisional application only*)
  - c.  With Power of Attorney       Without Power of Attorney
  - d.  DELETION OF INVENTOR(S)  
Signed statement attached deleting inventor(s) named in the prior application,  
see 37 C.F.R. 1.63(d)(2) and 1.33(b).
5.  Incorporation By Reference (*usable if Box 4b is checked*)  
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
6.  Computer Program in Microfiche
7.  Genetic Sequence Submission (*if applicable, all must be included*)
  - a.  Paper Copy
  - b.  Computer Readable Copy
  - c.  Statement Verifying Identical Paper and Computer Readable Copy

## Accompanying Application Parts

8.  Assignment Papers (*cover sheet & documents*)
9.  37 CFR 3.73(b) Statement (*when there is an assignee*)
10.  English Translation Document (*if applicable*)
11.  Information Disclosure Statement/PTO-1449       Copies of IDS Citations
12.  Preliminary Amendment
13.  Acknowledgment postcard
14.  Certificate of Mailing  
 First Class     Express Mail (*Specify Label No.*): \_\_\_\_\_

**UTILITY PATENT APPLICATION TRANSMITTAL  
(Small Entity)**

*(Only for new nonprovisional applications under 37 CFR 1.53(b))*

Docket No.  
12591-US-CIP

Total Pages in this Submission

**Accompanying Application Parts (Continued)**

15.  Certified Copy of Priority Document(s) (*if foreign priority is claimed*)
16.  Small Entity Statement(s) - Specify Number of Statements Submitted: \_\_\_\_\_
17.  Additional Enclosures (*please identify below*):

**Request That Application Not Be Published Pursuant To 35 U.S.C. 122(b)(2)**

18.  Pursuant to 35 U.S.C. 122(b)(2), Applicant hereby requests that this patent application not be published pursuant to 35 U.S.C. 122(b)(1). Applicant hereby certifies that the invention disclosed in this application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication of applications 18 months after filing of the application.

**Warning**

*An applicant who makes a request not to publish, but who subsequently files in a foreign country or under a multilateral international agreement specified in 35 U.S.C. 122(b)(2)(B)(i), must notify the Director of such filing not later than 45 days after the date of the filing of such foreign or international application. A failure of the applicant to provide such notice within the prescribed period shall result in the application being regarded as abandoned, unless it is shown to the satisfaction of the Director that the delay in submitting the notice was unintentional.*

**UTILITY PATENT APPLICATION TRANSMITTAL**  
**(Small Entity)**

*(Only for new nonprovisional applications under 37 CFR 1.53(b))*

Docket No.  
12591-US-CIP

Total Pages in this Submission

**Fee Calculation and Transmittal**

**CLAIMS AS FILED**

For	#Filed	#Allowed	#Extra	Rate	Fee
<b>Total Claims</b>	34	- 20 =	14	x \$9.00	\$126.00
<b>Indep. Claims</b>	3	- 3 =	0	x \$42.00	\$0.00
<b>Multiple Dependent Claims (check if applicable)</b>					\$0.00
				<b>BASIC FEE</b>	<b>\$370.00</b>
<b>OTHER FEE (specify purpose)</b>			<b>Assignment Document</b>		\$40.00
				<b>TOTAL FILING FEE</b>	<b>\$536.00</b>

A check in the amount of **\$536.00** to cover the filing fee is enclosed.

The Commissioner is hereby authorized to charge and credit Deposit Account No. **13-1717** as described below. A duplicate copy of this sheet is enclosed.

Charge the amount of \_\_\_\_\_ as filing fee.

Credit any overpayment.

Charge any additional filing fees required under 37 C.F.R. 1.16 and 1.17.

Charge the issue fee set in 37 C.F.R. 1.18 at the mailing of the Notice of Allowance, pursuant to 37 C.F.R. 1.311(b).

Dated: January 23, 2002



*[Signature]*  
Signature

**Richard J. Mitchell**  
34,519

Marks & Clerk  
P.O. Box 957, Station B  
Ottawa, ON, K1P 5S7  
CANADA

cc: